

The Daily Astorian.

Vol. VIII.

Astoria, Oregon, Thursday Morning, March 27, 1879.

No. 72.

TELEGRAPHIC NEWS.

Pacific Coast Dispatches.

—It is now stated that Godchaux Bros. have offered their creditors 10 cents on the dollar for their various accounts. The offer has been rejected for the present. The houses of Samuel Leszynsky & Co. and Kennedy & Durr was sold by the sheriff Tuesday afternoon. The stock, etc., was purchased presumably by creditors. Nothing has been done regarding S. Mosgrove & Co., whose store is still closed. They are still endeavoring to secure a settlement.

—Early on Friday morning last a collision took place about six miles off Cape Flattery between the ship Mercury, bound for Nanaimo, and the barkentine North Bend bound for Puget sound. The Mercury was towed to Nanaimo where she will receive necessary repairs. She hails from New York, and was on her way up from San Francisco at the time of the collision. The North Bend proceeded to Puget Sound and it has not yet been ascertained if she sustained any damage.

—The Oregon and California Stage company's stage from the south met with an accident in crossing a slough fifteen miles south of Canyonville on the 25th, in which they got six horses drowned. The loaded mail and express are reported saved. No lives lost.

Supreme Court.

In the Supreme court proceedings of the 24th, we find as follows:

W. W. Parker and James W. Welch, executors of James Welch, deceased, et al, respondents, vs. Jas. Taylor et al, appellants; appeal from Clatsop county. This suit was commenced in the life time of said James Welch, in his name, and upon his death the present plaintiffs were substituted. Plaintiffs, except Parker, are the owners in fee simple as tenants in common of lot 1 in block 135, and lots 5 and 6 in block 134, and all the tide land in front thereof, all in the town of Astoria.

The lots in question were conveyed to James Welch by J. M. Shively and wife, the same being a part of their donation claim in 1860, and the tide-land was purchased by James Welch from the state of Oregon. The defendant, James Taylor, claims a strip of land in front of these lots entirely covered by the waters of the Columbia river and wholly below ordinary low water mark, by purchase from J. M. Shively long after said lots were sold and conveyed to James Welch. Upon this strip of land Taylor erected a wharf by driving piles, etc.

The plaintiffs brought this suit to enjoin defendant, Taylor, from erecting and maintaining said wharf in front of said premises. Defendant's demurrer to the complaint was overruled. Defendant then filed his answer. A replication was also filed and the testimony was taken and the cause was tried, resulting in a decree for the plaintiff, from which decree this appeal is taken.

SYLLABUS.—A defendant who demurs to a complaint, and his demurrer being overruled, answers, waives all the grounds of his demurrer, unless it be to jurisdiction of the court, or that the complaint does not state facts sufficient to constitute a cause of suit. A patent to lands bordering on the Columbia river where the tide ebbs and flows, extends only to ordinary high water.

The lands lying between high and low water, over which the tide ebbs and flows, belong to the state. The owner of land lying on a navigable river and within an incorporated town, has the exclusive right to purchase the tide-land in front of his land, and build wharves extending beyond low water to where ships can come and ride in safety.

The corporate authorities within which such wharves are constructed have the power to regulate the manner of constructing and using the same. A person purchasing land from the state over which a legal highway

is located or established, takes the land subject to the right of passage by the public land.

Land covered with shoal water may, under proper regulations by the state and municipal authorities, be reclaimed from the sea by filling in, or by driving piles and building on them, and become private property and the subject of sale the same as other property. The decree of the court below is affirmed. Opinion of Boise, J.

Ordinance No. 322.

AN ORDINANCE to amend Ordinance No. 252, entitled "An Ordinance to provide for licensing and regulating bar-rooms and drinking shops."

The City of Astoria does ordain as follows:

SEC. 1. That section one of Ordinance No. 252 of the city of Astoria, entitled "An Ordinance to provide for licensing and regulating bar-rooms and drinking shops be and is hereby amended, to read as follows, to-wit: That no person or persons in this city, directly or indirectly, in person or by another, shall sell, barter, or deliver, or shall knowingly permit to be sold, delivered or bartered for, or on his or their account, any wine, spirituous or malt liquors, in less quantities than one quart, without first having obtained a license therefor in the manner hereinafter provided. Every person who keeps malt, wine or spirituous liquors for sale, in less quantities than one quart, either as his sole business or in connection with some other occupation shall be deemed a keeper of a bar-room or drinking shop within the intent and meaning of this Ordinance; provided that this Ordinance shall not apply to the drug store in this city.

SEC. 2. That section two of said Ordinance above referred to shall be, and the same is hereby amended to read as follows, to-wit: That every person or persons applying for a license to sell malt, or spirituous liquors, or wines, under the provisions of this Ordinance shall pay into the city treasury the sum of two hundred dollars for one year; provided that no license shall be granted for a less period than one year.

SEC. 3. That section five of said Ordinance above referred to shall be and the same is hereby amended to read as follows, to-wit: That any keeper of a bar-room or drinking shop, who shall permit any breach of the peace, or disturbance of public order or decorum, by noisy, or riotous, or disorderly conduct, in the bar-room or drinking shop, or who shall sell or give any intoxicating liquor to any person already intoxicated, or to any person under the age of legal majority shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five nor more than fifty dollars, or be imprisoned in the city jail not less than ten nor more than twenty days, and shall forfeit the license to such bar-room or drinking shop; and any person or persons convicted of a violation of the provisions of this section shall not be permitted to take out a license for the period of one year.

SEC. 4. Any keeper of a bar-room or drinking shop, who shall permit or employ any woman to act as waitress or bar tender, or sing, or dance, or serve in any other capacity in such bar-room or drinking shop, or who shall allow any woman to remain or loiter in such bar-room or drinking shop, or who shall permit any lewdness or indecent conduct, or any model artist exhibition in such bar-room or drinking shop shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five nor more than fifty dollars, or be imprisoned in the city jail not less than ten nor more than twenty days, and shall forfeit the license to such bar-room or drinking shop.

SEC. 5. That the following sections be incorporated into said Ordinance No. 252 as sections 3 and 4 of said Ordinance.

SEC. 3. Before a license shall issue as provided for in this Ordinance the applicant shall file with the Auditor and Clerk a bond in the sum of five hundred dollars, with two or more sureties to be approved by the Mayor, payable to the city of Astoria, conditioned that he will keep an orderly house, and will in all things comply with the provisions of this Ordinance during the time specified in the bond. Attached unto said bond shall be an affidavit, verified by the sureties thereon, to the effect that they are householders or freeholders within the city of Astoria, and are, in aggregate, worth at least double the amount of said bond, over and above all debts and liabilities and property exempt from execution.

SEC. 4. The Treasurer of the city of Astoria is hereby prohibited from receiving any moneys for liquor licenses, until he shall be notified by the Auditor that the applicant for such license has filed a bond as required by this Ordinance.

SEC. 6. That this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

Passed the Council March 22, 1879.

Attest: R. H. CARDWELL,

Auditor and Clerk.

Approved March 24, 1879.

J. H. D. GRAY,

Acting Mayor.

WANTS, LOST, FOUND, ETC.

LAUNDRY FOR SALE.—Inquire at the

Astoria Steam Laundry.

J. T. BORCHERS, Proprietor,

Astoria, Oregon.

HOUSE TO LET.—A nice residence, new,

containing six rooms, will be ready for

a tenant any time on short notice.

For particulars inquire at

55tf

THIS OFFICE.

NOTICE.—The annual meeting of the

stockholders of the "Oregon and Wash-

ington Fish Propagating Co." for the purpose

of electing a Board of Directors for the ensu-

ing year, will be held in Portland on Tuesday

evening at 8 o'clock, April 1, 1879.

JOHN ADAIR, JR.,

President O. & W. F. P. Co.

BANKING AND INSURANCE.

BANKING AND INSURANCE.

I. W. CASE,

BROKER, BANKER,

—AND—

INSURANCE AGENT.

ASTORIA, - - - OREGON.

Exchange bought and sold on all parts of the United States and Europe.

OFFICE HOURS—From 8 o'clock A. M. until 4 o'clock P. M.

Home Mutual Insurance Co., OF CALIFORNIA,

J. F. HOUGHTON, President
CHAS. R. STORY, Secretary
HAMILTON BOYD, Agents for Oregon
GEO. L. STORY, Agents for Oregon

OFFICE—Northeast corner of Stark and First

streets, PORTLAND, OREGON.

Net Cash received for Fire Pre-

miums in 1877.....\$335,511 04

Assets, Jan. 1, 1878.....\$578,005 53

Liabilities—

Losses unpaid.....\$3,638 37

Dividends ".....1,937 00

Surplus for Property Holders.....\$522,470 47

Losses paid in Oregon in six years.....\$114,516 72

I. W. CASE, Agent,

Astoria, Oregon.

\$67,000,000 CAPITAL.

LIVERPOOL AND LONDON AND

GLOBE,

NORTH BRITISH AND MERCAN-

TILE OF LONDON AND

EDINBURGH.

OLD CONNECTICUT OF HART-

FORD, AND

COMMERCIAL OF CALIFORNIA

FIRE INSURANCE COMPANIES.

Representing a capital of \$67,000,000.

A. VAN DUSEN, Agent.

COMMERCIAL UNION

ASSURANCE COMPANY

OF LONDON.

Capital \$12,500,000.

MATT H. SIBSON, Agent,

Astoria, Oregon.

FIREMEN'S FUND

INSURANCE COMPANY

OF CALIFORNIA.

ORGANIZED IN 1863.

Total Losses Paid Since Organization.

\$2,630,435 95.

E. C. HOLDEN, Agent,

Astoria, Oregon.

C. H. BAIN & CO.

BEING NOW PREPARED WITH GREATLY

increased facility to furnish the public

with all kinds of

Seasoned A No. 1 Lumber,

Boat Lumber, Doors, Windows,

BLINDS, TRANSOMS:

And all kinds of hard wood at very low rates.

Asks an examination of their prices and

large lot of goods which will be sold low for

CASH.

Steam Mill Near Weston Hotel,

Cor. Genevieve and Astor streets.

ECLIPSE MARKET.

West-Eighth Street, near the O.

S. N. Co's Wharf.

JOHN W. WELCH.....PROPRIETOR

A GENERAL ASSORTMENT OF FAMI-

ly Groceries, and the various kinds of

best-class Meats and Fish, furnished in best

of style at the market, or delivered to any

part of the city. Orders given to the mes-

sengers, or left at the market, will be promptly

filled.

My endeavor will be, by prompt attention

and fair dealing, to please my patrons.

All kinds of country produce taken in

exchange for goods, and delivered to patrons

free. Give me a call.

G. T. REID,

CALEDONIA SALOON,

Corner of Front and A streets.

PORTLAND - - - OREGON

Late butcher in the Central Market.

MISCELLANEOUS.

NEW STOCK!

HAVING JUST RECEIVED A new stock

consisting of a splendid assortment of

Dress Goods, Fancy Articles,

—AND—

Gents' FURNISHING GOODS,

Hats, Caps, Boots and Shoes,

Queensware, Jewelry, Etc., Etc.

We respectfully invite the public to call and

inspect the same.

We have also received a large stock of fine

CIGARS AND TOBACCO

Which we are offering at San Francisco

wholesale prices. Very respectfully.

A. VAN DUSEN & Co.,

Cor. Cass and Jefferson sts., ASTORIA, OGN.

VAN DUSEN & CO.,

HAVE A SPLENDID STOCK OF

JEWELRY,

Consisting of a great variety of goods for

both ladies and gentlemen.

If You Want to Select a Suit of

CLOTHING

From the very best stock in the city call at

A. VAN DUSEN & Co.'s.

VAN DUSEN & Co.,

Are Agents in Astoria for the SINGER and

the WHITE

SEWING MACHINES.

Large stock constantly on hand.

CITY BOOK STORE,

MAIN ST., ASTORIA.

CHAS. STEVENS & SON

Invites the attention of purchasers to their

stock, just laid in

The Finest Selection!

The Cheapest Prices!

The Greatest Worth!

RECEPTION POCKETS;

LADIES' DIARIES AND PURSES

COMBINED;

COMB AND BRUSH POCKETS;

CUTLERY, JEWELRY, CHARMS,

ETC., ETC.;

LADIES' FANCY BOARD, ETC.;

GOLD PENS AND PENCILS;

PAINT PENCILS, GUTTA PERCHA

GOODS;

EXCELSIOR DIARIES, BLANK

BOOKS, STATIONERY, ETC.

All goods sold at lowest cash prices.

CHAS. STEVENS & SON.

City Book Store to Main street, two doors

from the Hotel, window corner, opposite the

bakery of Mrs. C. Binder.

CHARLES HEILBORN,

MANUFACTURER OF

And Dealer in

FURNITURE and BEDDING.

ALSO IMPORTER OF

CARPETS, OIL CLOTHS, WALL

PAPER, SHADES, ETC.

All kinds of repairing promptly at-

tended to, and furniture made to order.

A full line of picture mouldings and

frames, brackets, window cornices, etc.

Full stock and lowest prices, corner of

Squemoquia and Main street, Astoria.

W. E. DEMENT,

DRUGGIST.

ASTORIA, - - - OREGON.

Carries a full Assortment of

Drugs, Patent Medicines,

PAINTS, OIL AND GLASS.

Prescriptions filled with care Day or Night

Manufacturer of Fishermen's Relief.

A sure preventative of Chapped Hands, and

cure for Fish Wounds.

Fish Commissioners Notice.

NOTICE IS HEREBY GIVEN THAT

the undersigned, having been duly ap-

pointed deputy for Clatsop county, by C.

Lenenweber, Fish Commissioner, under the

laws of the State of Oregon, will be in readi-

ness from and after this date, to issue li-

censes, at his office up stairs, corner of Cass

and Squemoquia streets, Astoria, Oregon.

Persons sending in applications for licenses

will please send No. of boat and the name of

the fisherman or captain of the boat.

H. B. FERGUSON,

Deputy Fish Commissioner.

Fish Commissioners Notice.

THE UNDERSIGNED FISH COMMISS-

ioner for Washington territory, hereby

gives notice that he will visit all the canner-

ies on the Washington territory side of the

river, from the first to the twentieth of

March, and after that will be at Brookfield

for the rest of the season.

ALBERT F. STREAM.

NORTH COVE, W. T., Feb. 17, 1879.

MISCELLANEOUS.

E. S. LARSEN

Wholesale and Retail Grocer,

AND DEALER IN

CROCKERY, GLASS,

AND PLATED WARE

Flour and Feed!

I am now prepared to furnish the

choicest and best goods in my line, at the

lowest cash prices. Patronage is respectfully

solicited. References: My patrons.

E. S. LARSEN,

Wholesale and Retail Grocer, Astoria.

PURE CIDER

VINEGAR!

250 Gallons Pure Cider Vinegar,

in 25 Gallon Packages.

For sale by

E. S. LARSEN.

This is the best quality of vinegar that

is made; it is warranted pure cider vinegar,

put up by an